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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,910	12/27/1999	MICHAEL C. G. LEE	71493-639	9364

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EXAMINER	
NGUYEN, QUYNH H	

ART UNIT	PAPER NUMBER
2642	18

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/472,910	LEE, MICHAEL C. G.	
	Examiner	Art Unit	
	Quynh H Nguyen	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment filed 8/18/03*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-26 and 29-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-26 and 29-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *16* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

2. Claims 2-10, 16, 18-20, 24-26, 29-31, 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Sonesh et al. (U.S. Patent 6,046,762).

Referring to claims 2 and 36, Sonesh et al. teach an automatic call distribution (ACD) controller arranged to be coupled through a packet-based network to a plurality of remote telephone stations and one or more attendant telephone stations, the ACD controller comprising call reception logic (col. 6, lines 3-5) that controls the establishment of telephone sessions between the remote telephone stations and the attendant telephone stations; wherein the call reception logic operates to receive call initiation signals from a particular one of the remote telephone stations (col. 7, lines 58-61); to monitor if an attendant availability parameter is met (col. 10, lines 58-61); if the attendant availability parameter is not met, to send at least one data information message to the particular remote telephone station via the packet-based network (col. 10, lines 58-61); and, if the attendant availability parameter is met, to establish an audio channel between the particular remote telephone station and a particular one of the attendant telephone stations (col. 11, lines 3-6).

Sonesh et al. teach that the caller's computer is configured with correction software by the system (col. 10, lines 50-56). Even though "query" is not

specifically used, it is inherent that the MMACD of the call center performs inherent queries to determine the configuration of the caller's computer. This inherent query is taught at Figure 6, steps 635 and 645, where the MMACD determines through the caller's browser whether the software of the caller's computer is updated. Furthermore, Sonesh et al. teach that the software downloaded is updated to the caller's computer performs specific applications and therefore, teaches that "configuring" is for determining the capabilities of the caller's computer (col. 6, lines 9-33).

Referring to claim 3, Sonesh et al. teach the packet-based network is an Internet Protocol (IP) network and the data information message is transmitted within an IP packet (col. 10, lines 50-58).

Referring to claim 4, Sonesh et al. teach the call reception logic further operates to determine a waiting parameter (expected wait time col. 10, line 60) to be presented to a user at the particular remote telephone station, the data information message comprising waiting parameter (col. 10, lines 59-61).

Referring to claims 5 and 6, Sonesh et al. teach the length of the queue and expected wait time are displayed on the caller's computer (col. 10, lines 58-61) reads on claimed "...the waiting parameter comprises a number corresponding to an order ..." and "...an estimate of the time before the attendant availability parameter will be met".

Referring to claims 7 and 9, Sonesh et al. teach the call reception logic further operates to update the waiting parameter periodically until the attendant availability parameter is met and to send further data information signals

comprising updated waiting parameters to the particular remote telephone station via the packet-based network until the attendant availability parameter is met (col. 11, lines 1-4).

Referring to claims 8, 10, 30, 34, and 35, Sonesh et al. teach a switching device arranged to be coupled through a telephone network to at least one remote telephone station and an Automatic Call Distribution (ACD) system comprising at least one attendant telephone station (Fig. 1, 120), the switching device comprising alert request logic (connection manager) that is operable when the remote telephone station is connected to the ACD system (Fig. 1, 110) through the switching device. Furthermore, Sonesh et al. teach in Figure 6 step 640 periodic checks whether an agent becomes available, and if an agent is available, the caller is connected to that agent (col. 10, line 66 through col. 11, line 6).

Claim 16 is rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Sonesh et al. teach the data information message comprises a plurality of audio options (col. 6, lines 55-58); and wherein the call reception logic further operates to monitor for receipt of one of a plurality of audio option activation messages from the particular remote telephone station, each of the audio option activation messages corresponding to a selection of a particular one of the audio options (col. 6, lines 55-58 and col.8, lines 3-9); and, if the call reception logic receives one of the audio option activation messages from the particular remote telephone station, to send audio signals associated with the

received audio option activation message to the particular remote telephone station (col. 8, lines 3-9).

Referring to claim 18, Sonesh et al. teach the data information message comprises a browser request option (Fig. 6, 601); and wherein the call reception logic further operates to monitor for receipt of a browser request activation message from the particular remote telephone station in response to the browser request option (col. 10, lines 34-43); and, if the call reception logic receives a browser request activation message from the particular remote telephone station, to initiate a browser session with the particular remote telephone station such that the particular remote telephone station can access data information within a browser format (col. 10, lines 34-52).

Referring to claim 19, Sonesh et al. teach the browser format is a web page (col. 10, lines 34-36).

Referring to claim 20, Sonesh et al. teach if a browser session is initiated with the particular remote telephone station, the call reception logic further operates to send an alert message to the particular remote telephone station when the attendant availability parameter is met (col. 10, line 50 thru col. 11, line 6).

Referring to claim 24, Sonesh et al. teach an automatic call distribution (ACD) controller arranged to be coupled through a packet-based network to a plurality of remote telephone stations and one or more attendant telephone stations, the ACD controller comprising call reception logic (col. 6, lines 3-5) that controls the establishment of telephone sessions between the remote telephone

stations and the attendant telephone stations; wherein the call reception logic operates to receive call initiation signals from a particular one of the remote telephone stations (col. 7, lines 58-61); providing multimedia information on-line, and then transferring callers to agent or messaging systems, a caller browses web pages and only afterwards requests connection for an agent (col. 4, lines 23-27) and the caller browses data information independent of a connection request because the caller might not need agent assistance (col. 6, lines 14-20 and 28-34); to monitor for receipt of an attendant request message being sent from the particular remote telephone station; and, if the attendant request message is received, to monitor if an attendant availability parameter is met, to establish an audio channel between the particular remote telephone station and a particular one of the attendant telephone stations (col. 11, lines 3-6).

Claim 25 is rejected for the same reasons as claim 2. Furthermore, Sonesh teaches the caller's computer is configured with application software (col. 6, lines 20-33), and the applications include "initiating" and "terminating" commands for different applications. These commands are inherently soft keys. The Newton's Telecom Dictionary by Harry Newton 8th Expanded & Updated Edition page 950, as mentioned also in prior Office action, does provide information to further show that Sonesh's commands are inherently soft keys.

Referring to claim 26, Sonesh et al. teach a Local Area Network (LAN) arranged to be coupled to the packet-based network, each of the attendant telephone stations being coupled through the LAN to the ACD controller (Fig. 1, 113).

Claim 29 is rejected for the same reason as claim 25. Furthermore, Sonesh et al. teach within an Automatic Call Distribution (ACD) controller, a method of establishing a telephone session between a remote telephone station and an attendant telephone station via a packet-based network, the method comprising: receiving call initiation signals from the remote telephone station; sending at least one data information message to the particular remote telephone station via the packet-based network (col. 10, lines 58-61); monitoring if an attendant availability parameter is met (col. 10, lines 58-61); if the attendant availability parameter is not met, sending at least one data information message to the particular remote telephone station via the packet-based network (col. 10, lines 58-61); and, if the attendant availability parameter is met, to establish an audio channel between the particular remote telephone station and a particular one of the attendant telephone stations (col. 11, lines 3-6).

Referring to claim 31, Sonesh et al. teach the alert request activation signal is a sequence of Dual Tone Multi-Frequency (DTMF) signals (col. 5, lines 51-59).

Claim Rejections - 35 USC § 103

3. Claims 11-15, 17, 21-23, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al. (U.S. Patent 6,046,762) further in view of Bateman et al. (U.S. Patent 5,884,032).

Referring to claims 11 and 12, Sonesh et al. do not teach the alert mode icon to be displayed on the display of the particular remote telephone station, the alert on message has a ring request for the particular remote telephone station.

Bateman et al. teach the alert mode indication is an alert icon to be displayed (col. 10, lines 1-3), alert on message comprises a ring request for the particular remote telephone station (col. 10, lines 3-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of alerting icon displayed on and a ring request for the remote telephone station, as taught by Bateman, in Sonesh's system in order to enhance call center services to sufficiently serve customers.

Referring to claim 13, Sonesh et al. do not teach the ring request comprises a volume request to ensure a ring volume selection corresponding to the particular remote telephone station is at a sufficiently high level. Bateman et al. teach in column 6, lines 55-58 that the customer answers the phone call from the agent. It would have been obvious that in order to the customer to answer the phone call from the agent, the ring volume has to be sufficiently high.

Referring to claim 14, Sonesh et al. do not teach the alert on message comprises an email message being sent to an email account corresponding to the particular remote telephone. Bateman et al. teach notification being sent to a remote telephone via email messages (col. 7, lines 58-61).

Referring to claims 15, 17 and 23, Sonesh et al. do not teach the alert request option, a browser request option and each of the audio options comprises a text string to be displayed on display screen associated with the particular remote telephone station, the text string indicating to a user of the particular remote telephone station how to send an alert request/audio option activation/browser request activation message to the call reception logic.

Bateman et al. suggested that customer could enter command on the pop up display screen (col. 6, lines 14-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made also to incorporate a text string to be displayed on a display screen as part of the alert request option so that the communication between customer on hold and the call reception logic more diverse and efficient.

Referring to claims 21 and 22, Sonesh et al. do not teach if a browser session is initiated with the particular remote telephone station, the call reception logic further operates to send at least a portion of the data information accessed by the particular remote telephone station during the browser session to the particular attendant telephone station when establishing the audio channel between the particular remote telephone station and the particular attendant telephone station, and initiate a browser session with the attendant telephone station when establishing the audio channel between the remote telephone station and the attendant telephone station, the browser session being identical to that initiated with the remote telephone station. Bateman et al. teach that after the customer answers the phone call from the agent, the two parties will be in full voice communication and will be viewing the same multimedia screen (col. 6, lines 55-58).

Referring to claims 32 and 33, Sonesh et al. teach the alert request logic to monitor for receipt of an attendant ready signal, the alert request logic further operates to periodically send a recorded voice message to the ACD system indicating how to send an attendant ready signal (col. 10, line 66 through col. 11,

line 5). Sonesh et al. do not teach generating a ring back signal. Bateman et al. teach call back feature (col. 7, lines 51-61).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
November 26, 2003

AHMAD MATAR
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